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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 DON MARTIN and TROY BAETZ,
12 Plaintiffs,
13 v.
14 CITY OF LOS ANGELES,
15 Defendant.
16

Case No. CV 22-2093 TJH (PVC)

**ORDER SUMMARILY DISMISSING
ACTION WITHOUT PREJUDICE**

17 Co-Plaintiffs Don Martin and Troy Baetz filed a Request for Leave to File New
18 Litigation as Vexatious Litigant on January 24, 2022 (docketed March 30, 2022).
19 (“Request,” Dkt. No. 1). Mr. Martin was declared a vexatious litigant by this Court on
20 June 25, 2018 in the matter of *Don Martin v. City of Los Angeles*, CV 16-2655 TJH (SS).
21 Pursuant to the Court’s vexatious litigant Order, before any new matter by Mr. Martin will
22 be accepted for filing, Mr. Martin must file a motion for leave to file a vexatious litigant
23 complaint, with a copy of the proposed complaint attached to the motion as an exhibit,
24 and receive the Court’s express authorization to proceed. (*See id.*, Dkt. No. 34, at 1-2).
25


26 The Request was defective because it did not attach a copy of the proposed
27 complaint. Accordingly, on April 11, 2022, the Court denied the Request, without
28 prejudice to filing an Amended Request within thirty days attaching a copy of the

1 proposed new complaint. (Dkt. No. 4). The Court expressly cautioned Plaintiffs that if
2 they did not file an Amended Request in compliance with the Court's prior vexatious
3 litigant Order within thirty days, this matter would be summarily dismissed without
4 further notice. (*Id.* at 2).

5
6 More than thirty days have passed since the Court's April 11 Order and Plaintiffs
7 have not filed an Amended Request for Leave to File New Litigation as Vexatious
8 Litigant. Accordingly, this action is summarily DISMISSED WITHOUT PREJUDICE.

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10 IT IS SO ORDERED.

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12 Dated: MAY 27, 2022

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TERRY J. HATTER, JR.
UNITED STATES DISTRICT JUDGE

16 Presented by:

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PEDRO V. CASTILLO
UNITED STATES MAGISTRATE JUDGE